The court has received the Report and Recommendation on the instant case dated March 3, 2006 from the Honorable Cheryl L. Pollak, United States Magistrate Judge. No objections have been filed. Having conducted a <u>de novo</u> review of the record, the court hereby adopts the Report and Recommendation, in its entirety, as the opinion of the court pursuant to 28 U.S.C. § 636(b)(1). Accordingly, plaintiff's complaint is dismissed without prejudice for lack of prosecution.

SO ORDERED.

ROSS, United States District Judge:

Allyne R. Ross

United States District Judge

Dated: March 24, 2006

Brooklyn, New York

SERVICE LIST:

Counsel for Plaintiff:
John F. Clennan
Law Office of John F. Clennan
2206 Ocean Avenue
P.O. Box 1143
Ronkonkoma, NY 11779

cc:

Magistrate Cheryl L. Pollak